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ABSTRACT

This document is a summary of a doctoral dissertation that analyzed 65 randomly selected negotiated contracts from school districts from all geographical regions of the country. The main target of the analysis was the determination of provisions that would be used to improve the educational program. All items that could be interpreted as directly or indirectly improving the educational program were considered. Among the findings were that contracts of medium-sized districts (200-500 professional staff members) mentioned salaries more than any other item, followed by grievance procedures, provisions for having a professional organization, and transfer, leave, and promotion policies. The contracts of large districts (5000 or more professional staff members) mentioned transfer policies most often, followed by teacher evaluation, grievance procedures, provisions for a professional organization, and staff participation in policy determination. Among the conclusions were that the size of the professional staff has little bearing on the number but does affect the nature of the provisions for improving educational programs; that factors, characteristics, and conditions that improve educational programs are normal and usual provisions; and that negotiated contracts can be used as vehicles for the improvement of educational programs. (Author/IRT)

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A Summary of a Doctoral Dissertation By

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FOREWORD

RESEARCH REPORTS IN EDUCATIONAL ADMINISTRATION, now in its fifth year, is a publication series which has accumulated a total of twenty-one reports, all written in concise and time-saving fashion, on a wide variety of topics, related to educational administration. Each of these has been undertaken with the goal of aiding school administrators in their need for relevant research. The specific topics are selected by the Board of Directors of Arizona School Administrators, Inc., and are considered to be timely, relevant, and significant to school administrators in Arizona. A list of available titles in this series appears on the inside back cover.

This report is developed from a doctoral dissertation by the late Dr. Fred Bieber and it analyzes sixty-five negotiated contracts randomly selected from all geographic regions in the United States. The main target of the analysis was the determination of provisions included which could be used to improve the educational program. All items which could be interpreted as improving the educational program, either in a direct or indirect manner, were given consideration in this study.

At a time when collective bargaining laws for public employees are being debated at both state and national levels in the United States, the relevance of this study is obvious.

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PROVISIONS FOR IMPROVING EDUCATIONAL PROGRAMS IN SELECTED NEGOTIATED CONTRACTS

Introduction

The increasing prevalence and growing impact of professional negotiations on the education establishment is apparent to even the casual observer of the educational scene. Since the first formal contract was negotiated in Norwalk, Connecticut in 1946, the number has mushroomed to the point that in 1971, 3,911 written negotiated contracts encompassing 1,445,329 professional staff members were in existence.

Almost all of the literature and studies relating to professional negotiations are concerned with faculty welfare, legal implications, or mechanics and strategies of the negotiation process. Yet, the yardstick by which the merit of professional negotiations must ultimately be measured is that of its benefit to students-its effect upon the educational program.

This study by the late Fred Bieber is concerned with the effect of professional negotiations upon the educational program. It was designed to identify features of educational programs which tend to improve those programs. It was also designed to analyze a number of representative negotiated contracts to determine which of these might include provisions for the implementation of the aforementioned educational programs. It was Dr. Bieber's goal to determine if professional negotiations dealt mainly with salary and working conditions, or if they went beyond that to considerations of the quality of the educational program.

THE PROBLEM

The problem which was addressed in this study was threefold. First, an attempt was made to analyze selected, negotiated agreements between public school district faculties and their boards of education in order to obtain data relating to contract provisions calling for improvement of the educational program. Second, an effort was made to identify those characteristics, factors and conditions that influence the quality and effectiveness of educational programs. Third, a determination was sought of the defferences, if any, among contracts negotiated under the auspices of the National Educational Association and the American Federation of Teachers, between large and medium-sized school districts, and among districts in various geographic regions.

A series of nine specific questions were posed in connection with these three general areas. Generally, they can be summarized by the ninth question: Can negotiated contracts be used as vehicles for the improvement of educational programs?

PROCEDURE

By means of a thorough investigation of the literature, a list of 205 items which could be considered as characteristics, factors or conditions which improve educational programs was selected. These 205 items were divided into thirteen categories. These categories were: 1) Rationale for the educational program 2) The Community 3) Operating Personnel 4) Organization for instruction 5) Content of instruction 6) Instructional practices 7) Instructional materials, equipment and technology 8) Pupil personnel services 9) Supporting services 10) Evaluation 11) Decision-making 12) Physical facilities and 13) Management.

Contracts were selected in three dimensions: 1) size of the school district 2) geographic location and 3) affiliation with the National Education Association or the American Federation of Teachers. Professional staffs of 5000 or more were considered large districts, and those of 200-500 were considered to be medium-sized districts. The United States was divided into four geographic regions: Northeast, Southeast, Central and West. Only contracts which had either the NEA or the AFT as the exclusively recognized bargaining agent were used.

In accordance with these criteria, 65 contracts fitting all the qualifications were obtained for use in the study. 58 were from medium-sized districts and seven were from large districts. 51 were affiliated with the NEA and 14 with the AFT. 32 were located in the Northeast region, three in the Southeast, 20 in the Central region and 10 in the West.

The research technique used was content analysis. Used at the manifest level, when only what the respondent said is considered, strictly bound by the response, content analysis is a reliable and valid research tool. In this study, the 65 selected contracts were analyzed in terms of the 205 characteristics, factors and conditions said, in the literature, to affect the quality of educational programs.

Using the content analysis technique at the manifest level, the data were tabulated in a manner which permitted the frequency of occurrence of each of the characteristics, factors and conditions to be tallied and compared among large and medium-sized districts, the geographic locations in which they were located and school districts whose contracts were negotiated under the auspices of the NEA or AFT.

FINDINGS

Through the treatment of the data, the following findings were developed:

1) The contracts of medium-sized districts (200-500 professional staff members) mentioned salaries more than any other item followed by grievance procedures, provisions for having a professional organization, and transfer, leave and promotion policies in that order.

2) The contracts of large districts (5000 or more professional staff members) mentioned transfer policies most often, followed by teacher evaluation, grievance procedures, provisions for a professional organization, and staff participation in policy determination, in that order.

3) Districts in the Northeast and Western regions of the United States mentioned salaries most often. Southeastern districts mentioned transfer policies most frequently and Central districts most often mentioned provisions for professional negotiations.

4) Contracts negotiated under the auspices of the NEA and AFT agreed in that teacher salaries were most often mentioned in both cases. Grievance procedures and leave policies also appeared frequently in the contracts negotiated by both national organizations.

5) In regards to the summary question, "Can negotiated contracts be used as vehicles for the improvement of educational programs?" 1382 citations of characteristics, factors and conditions purported to improve educational programs were found in the 65 selected contracts for an average of 21 citations per contract.

CONCLUSIONS

Nine conclusions were drawn from the findings of this study:

1) Factors, characteristics and onditions which improve educational programs are normal and usual provisions of negotiated contracts.

2) The size of the professional staff has little bearing upon the number but does affect the nature of provisions for improving educational programs.

3) The negotiated contracts of medium-sized school districts most often provide for salary considerations and grievance procedure, while those of large districts most often contain procedures for teacher transfer and teacher evaluation. The contracts of both large and medium-sized districts indicate they share a primary concern with personnel considerations.

4) The geographic location of school districts has little bearing upon the number of provisions for improving educational programs which are included in their negotiated contracts, but does relate to the nature of those provisions.

5) The contracts of school districts in the Northeastern and Western states most often provide for salary considerations, while those of the Southeastern states most often provide for teacher transfer policies and those of the Central states for negotiation machinery. The contracts of school districts in all geographic areas indicate they share, equally, a primary concern with personnel considerations.

6) Whether a contract is negotiated under the auspices of the NEA or the AFT has little bearing upon either the number or the nature of provisions for improving educational programs which it contains.

7) Negotiated contracts can be used as vehicles for the improvement of educational programs.

8) The provisions for improving educational programs occurring most frequently, regardless of the size, national affiliation or geographic location, in descending order of priority, were those dealing with: teacher salaries, grievance procedures, leave policies, negotiations, teacher transfer and promotion, and teacher evaluation.

9) Contract provisions affecting personnel policies and working conditions for teachers possess the highest priority in contract considerations.

RECOMMENDATIONS

The conclusions arrived at in this study suggest a number of problems which could result in benefits to education through further research. Six of these problems follow.

1) A study should be undertaken to determine what factors, characteristics and conditions do actually improve educational programs and can be verified to be improvement agents.

2) A study should be undertaken to determine the extent to which contract provisions are adhered to in actual practice.

3) A study should be undertaken to determine the extent to which provisions dealing primarily with personnel considerations and working conditions monopolize negotiations and the resulting contracts to the sacrifice of other considerations.

4) An analysis of contracts should be undertaken using a limited number of factors, characteristics and conditions, rather than a number as large as the one used in this study.

5) A replication of the present study should be undertaken, using computer cards to record the number of times a school district mentioned a particular factor, characteristic or condition said to improve educational programs and thereby eliminate the problem of distortion of intent and the possible misinterpretation of the purpose of negotiators.

6) A replication of the present study should be undertaken to allow for a determination of the specific number of times or for the absence of contract stipulations providing for the improvement of educational programs.

IMPLICATIONS

Administrators should be aware that almost any contract item may be proposed as an agent for improvement of an educational program - either directly or indirectly. Whereas salary may be generally seen as an item which falls under the heading of compensation, this paper implies that salary increases may improve the educational program because they bring about a level of teacher satisfaction which in turn encourages them to work towards educational improvements and thus should be considered by administrators.

It is further implied that most contracts contain provisions for educational program improvement by means of making teachers more content with their job situations. It is noteworthy that this study provided many examples of contract provisions which called for improved personnel policies and working conditions, areas which indirectly may aid improvements in the educational program.

Contract items which impinge on the improvement of the educational program appear to be the same in all regions of the United States, in school districts of all sizes, and regardless of the national affiliation adhered to by the local teachers' association.

It is further implied that mere mention of an item in contract language may not mean the program improvement is incorporated into district policy; many contract items do not reach the implementation stage.

There is a need for school administrators to examine all contract items and appraise them as being directly or indirectly related to the improvement of the educational program.

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